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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)  
NOVU004A

In re Application of: Winters, et al.

Application No.: 10/674,035

Filed: 09/29/2003

For: Beach Restoration and Regeneration Systems, Methods and Compositions

The owner\*, Novus Systems, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,626,611 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:


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- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,747

  
Signature

5/12/05  
Date

Mark A. Oathout  
Typed or printed name

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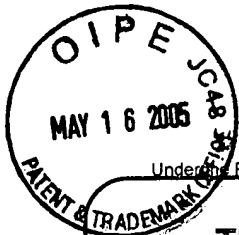
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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

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Application Number 10/674,035

Filing Date 09/29/2003

First Named Inventor Winters, William

Art Unit 3673

Examiner Name Lee, Jong Suk

Attorney Docket Number NOVU004A

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Mark A. Oathout		
Signature	<i>Mark A. Oathout</i>		
Printed name	Mark A. Oathout		
Date	5/12/05	Reg. No.	33,747

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Typed or printed name	Elisa Gonzalez	Date	5/12/05

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